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2 **LANE & NACH, P.C.**
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6 *Attorneys for Constantino Flores, Case Trustee*

7 **IN THE UNITED STATES BANKRUPTCY COURT**
8 **FOR THE DISTRICT OF ARIZONA**

9 In re:

(Chapter 7 Case)

10 JUDEE KAY LEEHMANN,

No. 4:20-bk-03059-BMW

11 Debtor.

**TRUSTEE’S REPORT OF SALE,
REQUEST TO PAY FEES TO
AUCTIONEER, AND REQUEST FOR
ORDER CORRECTING LEGAL
DESCRIPTION**

14
15 Constantino Flores, Chapter 7 Trustee, by and through his counsel undersigned, for his
16 *Report of Sale, Request to Pay Fees and Costs to Auctioneer, and Request for Order Correcting*
17 *Legal Description* respectfully represents as follows:

18 **I. INTRODUCTION**

- 19 1. This case was commenced by voluntary Petition filed by Judee Kay Leehmann
20 (“**Debtor**”) under Chapter 7 of Title 11, United States Code, on March 20, 2020 (“**Petition Date**”).
21 2. Constantino Flores is the duly appointed and acting Trustee herein (“**Trustee**”).
22 3. Pursuant to Court Order dated April 29, 2021, Trustee received authority to employ
23 Cunningham & Associates, Inc. (“**Auctioneer**”) to market and sell the Estate assets.

24 **II. REPORT OF SALE AND REQUEST FOR ORDER CORRECTING LEGAL**
25 **DESCRIPTION**

- 26 4. The Trustee’s Motion to Sell Real Property on an As-Is, Where-Is Basis and to Approve
27 Sale/Bidding Procedures [DE 28], as a result of scrivener’s error, omitted a coordinate in the legal
28 description. The corrected legal description is contained herein.

1 5. An auction was held live online at Cunninghamauctions.com on July 15, 2021 wherein
2 Auctioneer sold the Estate's interest in the real property described as:

3 i.) Apache County, AZ Parcel No.: 211-44-011B with a Legal Description of: APN: 211-
4 44-011B; SE4 NE4 SW4 SEC 25 T19N R24E.

5 ii.) Apache County, AZ Parcel No.: 211-45-017D with a Legal Description of: APN: 211-
6 45-017D; SW4 SE4 NW4 SEC 27 T19N R24E.

7 iii.) Apache County, AZ Parcel No.: 211-45-017A with a Legal Description of: APN: 211-
8 45-017A; SEC 27 T19N R24E NW4 SE4 NW4.

9 iv.) Navajo County, AZ Parcel No.: 104-24-010E with a Legal Description of: The
10 Northeast quarter of the Southeast quarter of the Southwest quarter of Section 21,
11 Township 20 North, Range 20 East, Salt River Base and Meridian, Navajo County,
12 Arizona; Subject to and reserving the North, South, East and West 25 feet for roadway
13 and utility purposes.

14 (collectively the "**Real Property**").

15 6. The Seller Settlement reflecting the winning bidder and bids from the auction is
16 attached hereto as Exhibit "A".

17 7. The auction grossed \$11,761.00 ("**Sale Proceeds**") as reflected on Exhibit "B" attached
18 hereto¹.

19
20 **III. REQUEST FOR PAYMENT OF COMMISSION**

21 8. From the Sale Proceeds, and in compliance with Order Authorizing Trustee to Employ
22 Auctioneer/Appraiser and Approve Related Expenses, the Trustee seeks authorization to remit a
23 ten percent (10%) commission to the Cunningham & Associates, Inc. in the amount of \$1,176.10.

24 WHEREFORE, Constantino Flores, Chapter 7 Trustee, respectfully requests that this Court
25 enter its Order authorizing payment to Cunningham & Associates, Inc. in the total sum \$1,176.10
26 for services provided in the liquidation of Estate assets herein, setting forth the correcting legal

27
28 ¹ Exhibit B incorrectly states "total submitted to Dina L. Anderson, Trustee". The funds were
 submitted and received by Constantino Flores, Trustee.

1 descriptions of the Real Property, and for such other and further relief as this Court deems just and
2 proper.
3

4 RESPECTFULLY SUBMITTED this 11th day of August, 2021.
5

6 **LANE & NACH, P.C.**

7 By: /s/ Gregory S. Grandmont – 032109
8 Paul M. Hilkert
9 Gregory S. Grandmont
Attorneys for Trustee

10 COPY of the foregoing delivered
11 via electronic mail as follows:

12 Kenneth L. Neeley
13 Neeley Law Firm, PLC
14 1120 S. Dobson Rd., Ste. 230
Chandler, AZ 85286
Email: ecf:neeleylaw.com
Attorney for Debtor

15 Office of U.S. Trustee
16 230 North First Avenue
Phoenix, AZ 85003
17 Email: Elizabeth.c.amorosi@usdoj.gov
Email: ustpreion14.px.ecf@usdoj.gov

18 By: /s/ Debbie McKernan
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Exhibit “A”

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Seller Settlement



Cunningham & Associates, Inc.
4753 E. Falcon Dr., Suite 1
Mesa, AZ 85215
Phone: (602) 595-6714

Invoice # LEEHMANN BK-187575-1

Seller Information

Seller Name: Leehmann, Flores
Seller Number: LEEHMANN BK
Company: Flores/Leehmann 4:20-bk-03059-BMW
Location:
Phone:

Auction Information

Auction: Vacant Agricultural Land Bankruptcy Auction
Date: 07/09/2021 09:00
Location: 6520 N 27th Avenue
Phoenix, AZ 85017

Lot Num	Description	BuyerFirst Name	BuyerLast Name	Bid	Lot SubTotal	Lot Net
100	Bankruptcy: +/- 10.0 Acres of Vacant Agricultural Land in Chambers, AZ - BANKRUPTCY - NO BUYER'S PREMIUM! SUBJECT TO BANKRUPTCY TRUSTEE APPROVAL. Sold in cooperation with AuctionAZ.com, LLC +/- 10.0 Acres of Vacant Agricultural Land located in Apache County, AZ This parcel is located on the border of the Petrified Forest National Park off of the I-40/US Route 66 and Petrified Forest Rd. Parcel Number: 211-44-011B Zoning: Agricultural Description: Section 25 Township: 19N Range 24E SE4 SW4 Township: 19N Range: 24E SE4 SW4 Section: 25 County: Apache County City: Chambers, AZ Zip Code: 86502 Account: R0053520 Acres: +/- 10.0 Acres Special Notes: Vacant lot. Property will be sold AS-IS. Special Terms: BANKRUPTCY, in cooperation with AuctionAZ.com, LLC, we are selling the Estate's interest in the above described property. This sale is AS-IS, WHERE-IS with no warranties or guarantees of any kind. All due diligence is the responsibility of the bidder/buyer. The information provided here is a courtesy only and is from sources deemed to be reliable but is not guaranteed. The Estate's interest will transfer through Trustee's Deed. Sale is subject to Bankruptcy Trustee approval. Please see the attached Notice of Sale for Special Terms and additional information regarding this sale. Payment: 100% of the total purchase price (winning bid plus buyer's premium if any, and doc fees if any) is due in the form of cash, cashier's check, direct deposit or wire transfer on or before 1600 (4P) Arizona Time (Zulu -7) the Friday following the auction. Buyer's Premium: ZERO - NO BUYERS PREMIUM	Brett	gibson	\$1,976.00	\$1,976.00	\$1,976.00
101	Bankruptcy: +/- 10.0 Acres of Vacant Agricultural Land in Chambers, AZ - BANKRUPTCY - NO BUYER'S PREMIUM! SUBJECT TO BANKRUPTCY TRUSTEE APPROVAL. Sold in cooperation with AuctionAZ.com, LLC +/- 10.0 Acres of Vacant Agricultural Land located in Apache County, AZ This parcel is located on the border of the Petrified Forest National Park off of the I-40/US Route 66 and Petrified Forest Rd. Parcel Number: 211-45-017D Zoning: Agricultural Description: Section 27 Township: 19N Range: 24E SW4 NW4 Township: 19N Range: 24E Section: 27 County: Apache County City: Chambers, AZ Zip Code: 86502 Account: R0053563 Acres: +/- 10.0 Acres Special Notes: Vacant lot. Property will be sold AS-IS. Special Terms: BANKRUPTCY, in cooperation with AuctionAZ.com, LLC, we are selling the Estate's interest in the above described property. This sale is AS-IS, WHERE-IS with no warranties or guarantees of any kind. All due diligence is the responsibility of the bidder/buyer. The information provided here is a courtesy only and is from sources deemed to be reliable but is not guaranteed. The Estate's interest will transfer through Trustee's Deed. Sale is subject to Bankruptcy Trustee approval. Please see the attached Notice of Sale for Special Terms and additional information regarding this sale. Payment: 100% of the total purchase price (winning bid plus buyer's premium if any, and doc fees if any) is due in the form of cash, cashier's check, direct deposit or wire transfer on or before 1600 (4P) Arizona Time (Zulu -7) the Friday following the auction. Buyer's Premium: ZERO - NO BUYERS PREMIUM	Brett	gibson	\$3,275.00	\$3,275.00	\$3,275.00

Lot Num	Description	BuyerFirst Name	BuyerLast Name	Bid	Lot SubTotal	Lot Net
102	Bankruptcy: +/- 10.0 Acres of Vacant Agricultural Land in Chambers, AZ - BANKRUPTCY - NO BUYER'S PREMIUM! SUBJECT TO BANKRUPTCY TRUSTEE APPROVAL. Sold in cooperation with AuctionAZ.com, LLC +/- 10.0 Acres of Vacant Agricultural Land located in Apache County, AZ This parcel is located on the border of the Petrified Forest National Park off of the I-40/US Route 66 and Petrified Forest Rd. Parcel Number: 211-45-017A Zoning: Agricultural Description: Section 27 Township: 19N Range: 24E SE4 NW4 Township: 19N Range: 24E Section: 25 County: Apache County City: Chambers, AZ Zip Code: 86502 Account: R0053563 Acres: +/- 10.0 Acres Special Notes: Vacant lot. Property will be sold AS-IS. Special Terms: BANKRUPTCY, in cooperation with AuctionAZ.com, LLC, we are selling the Estate's interest in the above described property. This sale is AS-IS, WHERE-IS with no warranties or guarantees of any kind. All due diligence is the responsibility of the bidder/buyer. The information provided here is a courtesy only and is from sources deemed to be reliable but is not guaranteed. The Estate's interest will transfer through Trustee's Deed. Sale is subject to Bankruptcy Trustee approval. Please see the attached Notice of Sale for Special Terms and additional information regarding this sale. Payment: 100% of the total purchase price (winning bid plus buyer's premium if any, and doc fees if any) is due in the form of cash, cashier's check, direct deposit or wire transfer on or before 1600 (4P) Arizona Time (Zulu -7) the Friday following the auction. Buyer's Premium: ZERO - NO BUYERS PREMIUM	Brett	gibson	\$3,310.00	\$3,310.00	\$3,310.00
103	Bankruptcy: +/- 10.0 Acres of Vacant Agricultural Land in Navajo County, AZ - BANKRUPTCY - NO BUYER'S PREMIUM! SUBJECT TO BANKRUPTCY TRUSTEE APPROVAL. Sold in cooperation with AuctionAZ.com, LLC +/- 10.0 Acres of Vacant Agricultural Land located in Navajo County, AZ This parcel is located North of Holbrook off of the I-40/Historic US Route 66, approximately 20 miles from the Petrified Forest Wilderness and Petrified Forest National Park. Parcel Number: 104-24-010E Zoning: Agricultural (A-General) Description: Section 21 Township: 20N Range: 20E NE4 SE4 SW4 out of 104-24-010C Township: 20N Range: 20E Section: 21 County: Navajo County Acres: +/- 10.0 Acres Special Notes: Vacant lot. Property will be sold AS-IS. Special Terms: BANKRUPTCY, in cooperation with AuctionAZ.com, LLC, we are selling the Estate's interest in the above described property. This sale is AS-IS, WHERE-IS with no warranties or guarantees of any kind. All due diligence is the responsibility of the bidder/buyer. The information provided here is a courtesy only and is from sources deemed to be reliable but is not guaranteed. The Estate's interest will transfer through Trustee's Deed. Sale is subject to Bankruptcy Trustee approval. Please see the attached Notice of Sale for Special Terms and additional information regarding this sale. Payment: 100% of the total purchase price (winning bid plus buyer's premium if any, and doc fees if any) is due in the form of cash, cashier's check, direct deposit or wire transfer on or before 1600 (4P) Arizona Time (Zulu -7) the Friday following the auction. Buyer's Premium: ZERO - NO BUYERS PREMIUM	Brett	gibson	\$3,200.00	\$3,200.00	\$3,200.00
4				\$11,761.00	\$11,761.00	\$11,761.00

Payments

Date	Payment type	Payment Info	Amount
07/30/2021 06:13PM	CHECK	Check #: 6521 Payable To: CONSTANTINO FLORES, TRUSTEE	\$11,761.00
Total Payments: 1			Total: \$11,761.00

Auction Summary

Auction Gross	\$11,761.00
Commissions	(\$0.00)
Expenses	(\$0.00)
Credits	\$0.00
Auction Net	\$11,761.00
Total Paid	\$11,761.00
Balance Due	\$0.00

Exhibit “B”

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CUNNINGHAM & ASSOCIATES, INC.

Auctions

Liquidations

Appraisals

July 30, 2021

Constantino Flores, Trustee
PO Box 511
Phoenix, AZ 85001
602-274-4200

Debtor(s): JUDEE KAY LEEHMANN
Case No: 4:20-bk-03059-BMW

Auction Date: July 15, 2021
Gross Proceeds of auction held at:
6520 N. 27th Ave.
Phoenix, AZ 85017

Gross Proceeds:	\$11,761.00
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Auctioneer's Commission 10%:	\$1,176.10
Total Due Cunningham & Associates, Inc.:	\$1,176.10

Total Submitted to Dina L. Anderson, Trustee:	\$11,761.00
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George Cunningham
Certified Auctioneer & Appraiser